

PP:ED'A
F. #2024R00875

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

LUIS GUERRERO ALVAREZ,

Defendant.

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I N D I C T M E N T

Cr. No. 24-cr-481
(T. 18, U.S.C., §§ 2252(a)(2),
2252(a)(4)(B), 2252(b)(1), 2252(b)(2),
2253(a), 2253(b) and 3551 et seq.;
T. 21, U.S.C., § 853(p))
Judge Orelia E. Merchant
Magistrate Judge Robert M. Levy

THE GRAND JURY CHARGES:

COUNT ONE
(Receipt of Child Pornography)

1. In or about October 2021, within the Eastern District of New York and elsewhere, the defendant LUIS GUERRERO ALVAREZ did knowingly and intentionally receive one or more visual depictions using a means and facility of interstate and foreign commerce, to wit: the Internet, that had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed and so shipped and transported, by any means including by computer, to wit: an iPhone 13 Pro, model number MLU03LL/A, bearing serial number V7NX074QV7, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions having been of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551 et seq.)

COUNT TWO
(Possession of Child Pornography)

2. In or about October 2024, within the Eastern District of New York, the defendant LUIS GUERRERO ALVAREZ did knowingly and intentionally possess matter containing one or more visual depictions, to wit: digital videos and images stored on an iPhone 13 Pro, model number MLU03LL/A, bearing serial number V7NX074QV7, that had been mailed and had been shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct, and one or more of such visual depictions involved one or more prepubescent minors and one or more minors who had not attained 12 years of age.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253(a), which requires the forfeiture of: (a) any visual depiction described in Section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting, or traceable to, gross profits or other proceeds obtained from such offenses; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of such

offenses or any property traceable to such property, including but not limited to one iPhone 13 Pro, model number MLU03LL/A, bearing serial number V7NX074QV7, assigned International Mobile Equipment Identity numbers 352806842317814 and 352806842653671, seized by law enforcement on or about October 25, 2024, in Brooklyn, New York.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

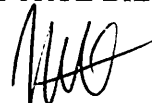
without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other

property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 2253(a) and 2253(b); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON

By David Pitluck, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK